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FACSIMILE COVER SHEET
PLEASE DELIVER IMMEDIATELY!!!!

Our Ref.: 4398-208
Your Ref.: USSN 10/035,199 Date: March 11, 2004

To: Examiner Mital Patel
Firm: U.S. Patent and Trademark Office
Facsimile No.: 703-746-3388
From: Paul T. Bowen

Number of Pages (including cover sheet): 2
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Julie Krumpelman
FACSIMILE OPERATOR


ATTACHMENT/S: Page 3
MESSAGE:

Re: U.S. Serial No. 10/035,199
Inventor: BREWER et al.
Our Ref.: 4398-208

Dear Examiner Patel:

Attached is page 3 of the Request for Reconsideration filed January 8, 2004.

Although not believed necessary, the U.S. Patent and Trademark Office is hereby granted authorization to charge any fee deficiency to our Deposit Account No. 14-1140 referencing docket number 4398-208.

Best regards,

Paul T. Bowen
Reg. No. 38,009

PTB/jck

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BREWER et al.
Appl. No. 10/035,199
January 8, 2004

first citation (column 3, lines 16-25), merely states the breathing mask includes a differential pressure meter 14. There is no discussion of what pressure a mask may be tested at.

The second citation also does not relate to measuring a mask-fit test pressure. Instead, the second citation (column 4, lines 28-43) relates to measuring the leaks along a line leading from the pressure regulator 5 to the mask 6, between positions 2 and 3 as shown in Figure 2. If the pressure difference between positions 2 and 3 is small, the Lundberg test states that the value is acceptable. When the pressure difference is large, the Lundberg test states that value is unacceptable.

Lundberg is silent as to how the mask-fit test pressure is determined. Moreover, there is nothing in Lundberg which teaches that the mask-fit pressure is adaptively determined from prior use. Instead, Applicants respectfully submit that the mask-fit pressure is more likely established by using one of the prior art methods described in the Background section of the present specification.

Dependent claims 52-62, 64-66 and 69 are patentable by virtue of their dependency on independent claim 27, and for the additional features they recite.

Reconsideration and withdrawal of the rejection are respectfully requested.

Claims 63, 67 and 68 were rejected under 35 U.S.C. § 103(a) over Lundberg in view of Rapoport et al. This rejection is respectfully traversed at least because claims 63, 67 and 68 depend directly or indirectly on independent claim 27. Withdrawal of the rejection is respectfully requested.